

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

United States of America,

Plaintiff,

Criminal No. 22-mj-30080

v.

William Gilbert,

Defendant.

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**MOTION AND BRIEF FOR LEAVE TO  
DISMISS COMPLAINT WITHOUT PREJUDICE**

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Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States of America hereby moves for leave to dismiss without prejudice the complaint against *Defendant* William Gilbert. In this case, the government needs additional time

- 1) to develop and obtain evidence sufficient to establish defendant's guilt beyond a reasonable doubt;
- 2) to investigate the full extent of the offenses in question and identify all other individuals who should be held criminally responsible for the offense; or
- 3) to decide whether criminal prosecution of defendant for the offenses in question is in the public interest.

*See generally United States v. Lovasco*, 431 U.S. 783,790-96 (1977); 18 U.S.C.

§ 3161(d)(1). The government's ability to prosecute this case properly would be

substantially impaired were it required to proceed to indictment or information within the 30-day period prescribed by the Speedy Trial Act, *see* 18 U.S.C. §§ 3161(b), 3161(h). Accordingly, the government requests leave to dismiss the complaint without prejudice.

Respectfully submitted,

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Dated: December 27, 2023

### **CERTIFICATE OF SERVICE**

I hereby certify that on Wednesday, December 27, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to parties authorized to receive electronically Notices of Electronic Filing

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